

ASSEMBLY BILL

No. 1425

Introduced by Assembly Member Daucher

February 22, 2005

An act to amend Section 87482.6 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 1425, as introduced, Daucher. Community colleges: faculty: career technical and vocational education instructors.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law provides that until specified statutory provisions are implemented regarding program-based funding, community college districts that have less than 75% of their hours of credit instruction taught by full-time instructors shall apply a portion of their program improvement allocations toward reaching that 75% standard, as specified. Existing law requires the board of governors to adopt regulations, as provided, for the effective administration of the law concerning the appropriate percentage of hours of credit instruction taught by full-time instructors, and requires the Chancellor of the California Community Colleges to determine the extent to which each community college district has hired the number of full-time faculty, as provided, and, to the extent that the cumulative number of full-time faculty have not been retained, to reduce the district's base budget for 1991–92 and subsequent fiscal years by a certain formula.

This bill would provide that, notwithstanding the provisions described above, hours of credit instruction in career technical

education and vocational education courses shall not be included in the calculations required by these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 87482.6 of the Education Code is
2 amended to read:

3 87482.6. (a) Until the provisions of Section 84750 regarding
4 program-based funding are implemented by a standard adopted
5 by the board of governors that establishes the appropriate
6 percentage of hours of credit instruction that should be taught by
7 full-time instructors, the Legislature wishes to recognize and
8 make efforts to address longstanding policy of the board of
9 governors that at least 75 percent of the hours of credit
10 instruction in the California Community Colleges, as a system,
11 should be taught by full-time instructors. To this end, community
12 college districts~~which~~ *that* have less than 75 percent of their
13 hours of credit instruction, *with the exception of hours of credit*
14 *instruction in career technical education and vocational*
15 *education*, taught by full-time instructors shall apply a portion of
16 the program improvement allocation received pursuant to Section
17 84755 as follows:

18 (1) Districts~~which~~ *that*, in the prior fiscal year, had between
19 67 percent and 75 percent of their hours of credit instruction
20 taught by full-time instructors shall apply up to 33 percent of
21 their program improvement allocation as necessary to reach the
22 75 percent standard. If a district in this category chooses instead
23 not to improve its percentage, the board of governors shall
24 withhold 33 percent of the district's program improvement
25 allocation.

26 (2) Districts~~which~~ *that*, in the prior fiscal year, had less than
27 67 percent of their hours of credit instruction taught by full-time
28 instructors shall apply up to 40 percent of their program
29 improvement allocation as necessary to reach the 75 percent
30 standard. If a district in this category chooses instead not to
31 improve its percentage, the board of governors shall withhold 40
32 percent of the district's program improvement allocation.

33 ~~Districts which~~

1 (3) *Districts that maintain 75 percent or more of their hours of*
2 *credit instruction taught by full-time instructors shall otherwise*
3 *be free to use their program improvement allocation for any of*
4 *the purposes specified in Section 84755.*

5 (b) The board of governors shall adopt regulations for the
6 effective administration of this section. Unless and until amended
7 by the board of governors, the regulations shall provide as
8 follows:

9 (1) In computing the percentage of hours of credit instruction
10 taught by full-time instructors, ~~the both of the following shall~~
11 *occur:*

12 (A) *The hours of overload teaching by full-time instructors*
13 *shall be excluded from both the total hours of credit instruction*
14 *taught by full-time and part-time instructors and the total hours*
15 *of instruction taught by full-time instructors.*

16 (B) *The hours of credit instruction provided by full-time and*
17 *part-time faculty in career technical education and vocational*
18 *education courses, as defined by the Office of the Chancellor of*
19 *the California Community Colleges, shall be excluded from the*
20 *calculation of the 75 percent standard under this section.*

21 (2) A full-time instructor shall be defined as any regular and
22 contract faculty member teaching credit instruction.

23 (3) (A) The chancellor shall compute and report to each
24 community college district the number of full-time faculty (FTF)
25 which are to be secured through the use of the prescribed portion
26 of program improvement revenue allocated to each district. This
27 computation shall be made by dividing the applicable portion of
28 program improvement revenue (0 percent, 33 percent, or 40
29 percent of the program improvement allocation), by the statewide
30 average “replacement cost” (a figure which represents the
31 statewide average faculty salary plus benefits, minus the
32 statewide average hourly rate of compensation for part-time
33 instructors times the statewide average full-time teaching load).
34 If the quotient is not a whole number, then the quotient shall be
35 rounded down to the nearest whole number. If this quotient, once
36 applied, will result in the district exceeding the 75 percent
37 standard, the chancellor shall further reduce the quotient to a
38 whole number that will leave the district as close as possible to,
39 but in excess of, the 75 percent standard.

40 ~~By March 15th~~

1 (B) *By March 15* of each year, the chancellor shall report to
2 each district an estimate of the number of FTF to be secured
3 based upon the appropriation of revenues contained in the annual
4 Budget Bill.

5 (4) On or before December 31, 1991, the chancellor shall
6 determine the extent to which each district, by September 30,
7 1991, has hired the number of FTF determined pursuant to
8 paragraph (3) for the 1989–90 and 1990–91 fiscal years. To the
9 extent that the cumulative number of FTF have not been retained,
10 the chancellor shall reduce the district’s base budget for 1991–92
11 and subsequent fiscal years by an amount equivalent to the
12 average replacement cost times the deficiency in the number of
13 FTF.